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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA AT ANCHORAGE

ALASKA RENT-A-CAR, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
CENDANT CORPORATION, et al.,	)	
	)	
Defendants.	)	
<hr/>		Case No. 3:03-cv-00029-TMB

**DEFENDANTS' MOTION FOR CLARIFICATION OF ORDER AT DOCKET 297**

At Docket 297, the Court ordered the parties to prepare a joint memorandum answering questions relevant to pending summary judgment motions. Defendants' counsel worked with Plaintiff's counsel for several days to prepare a responsive pleading. Plaintiff's counsel then unilaterally filed as a "Joint Memorandum" at Docket 300, a

document which he had never shown to Defendants' counsel. Defendants moved to sanction this conduct at Docket 302, and Plaintiff then filed an "Errata" at Docket 304 which confirms that Plaintiff did not comply with the Court's Order to prepare a joint memorandum.

The Court ordered a joint memorandum, not individual responses. It appeared to Defendants that the Court was interested in straightforward answers to factual questions, rather than more legal arguments. Defendants are still prepared to work with Plaintiff's counsel to comply with the Order at Docket 297 by filing a joint response. In light of these circumstances, Defendants respectfully seek clarification from the Court. At the Court's direction, Defendants will: (1) submit their own memorandum in response to Docket 297; (2) work with Plaintiff to prepare a joint memorandum as originally ordered; or (3) take whatever other steps as requested by the Court to assist it in resolving the pending summary judgment motions.

Dated: January 12, 2007.

Respectfully submitted.

s/ Howard S. Trickey

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**CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing document was served electronically this 12<sup>th</sup> day of January, 2007, on:

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/s/ Howard S. Trickey  
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